

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

MOSES MATTHEW STEVENS

Petitioner,

-v-

WARDEN, Lebanon Correctional  
Institution

Respondent.

Case No. 3:12-cv-034

Judge Thomas M. Rose  
Chief Magistrate Judge Sharon L. Ovington

---

**ENTRY AND ORDER OVERRULING STEVENS' OBJECTIONS (Doc. #13) TO THE CHIEF MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS; ADOPTING THE CHIEF MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #11) IN ITS ENTIRETY; DENYING AND DISMISSING STEVENS' PETITION FOR A WRIT OF HABEAS CORPUS; DENYING LEAVE TO APPEAL *IN FORMA PAUPERIS*; DENYING ANY REQUESTED CERTIFICATE OF APPEALABILITY AND TERMINATING THIS CASE**

---

This matter comes before the Court pursuant to pro se Petitioner Moses Matthew Stevens' ("Stevens") Objections (doc. #13) to Chief Magistrate Judge Sharon L. Ovington's Report and Recommendations (doc. #11). Chief Magistrate Judge Ovington recommends that Stevens' Petition for a Writ of Habeas Corpus be denied and dismissed, that Stevens be denied leave to appeal *in forma pauperis* and that Stevens be denied any requested certificate of appealability.

The time has run and the Warden has not responded to Stevens' Objections. This matter is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court

finds that Stevens' Objections to the Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Chief Magistrate Judge's Report and Recommendations is adopted in its entirety.

Stevens' Petition for a Writ of Habeas Corpus is denied and dismissed. Further, Stevens is denied leave to appeal *in forma pauperis* and any requested certificate of appealability.

Finally, the captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

**DONE** and **ORDERED** in Dayton, Ohio, this Fourteenth Day of April, 2014.

**s/Thomas M. Rose**

---

THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Moses Matthew Stevens at his last address of record